

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. No new matter has been added.

Interview Summary

On February 27, 2009, the undersigned participated in a telephonic Applicant Initiated Interview with Examiner Cardenas-Navia. The outstanding rejections were discussed as were the proposed claim amendments including the Interview Request Form. The Examiner believed that the new claim language was not found in the cited references, however, a further search would be required.

35 U.S.C. § 103

Claims 1-13 stand rejected under 35 U.S.C. § 103(a), as allegedly being anticipated by Bansal et al., (U. S. Publication No. 2007/0219842 A1). Claims 12-13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bansal et al., (U. S. Publication No. 2007/0219842 A1) in view of Edinger et al. (U.S. Publication No. 2002/0194047A1). Claims 14-18 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bansal et al., (U. S. Publication No. 2007/0219842 A1) in view of Katiyar et al. (U.S. Patent No. 5,732,399). Claims 19 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bansal et al., (U. S. Publication No. 2007/0219842 A1) in view of Katiyar et al. (U.S. Patent No. 5,732,399) and in further view of Edinger et al. (U.S. Publication No. 2002/0194047A1). These rejections are respectfully traversed.

For a proper rejection under 35 U.S.C. § 103(a), the Office “bears the initial burden of factually supporting any prima facie conclusion of obviousness” and must therefore present “a clear articulation of the reason(s) why the claimed invention would have been obvious.” MPEP §2142. An obviousness rejection “cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” MPEP §2141 quoting *KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1386, 1385 (2007). This rationale must include a showing that all of the claimed elements were known in the prior art and that one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, to produce a combination yielding nothing more than predictable results to one of ordinary skill in the art. *KSR*, 82 USPQ2d at 1395. MPEP §2141.02 further notes that “a prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the subject matter recited in the pending claims. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). It is respectfully submitted that the stated rejections under 35 USC § 103(a) fail to satisfy this burden, in particular, by characterizing aspects recited in the claims that are not suggested by Bansal as being old and well-known (especially as such aspects greatly enhance usability and efficiency from a user-perspective). Notwithstanding, in order to expedite the allowance of the current application, the claims have been amended herein.

Claim 1 has been amended to recite: “A computer program product embodied on computer readable storage media comprising instructions that when executed generates a graphical user interface on a display device for using a computer to schedule the performance of service actions, the graphical user interface comprising: a planning board display in

communication with a scheduling engine for scheduling information associated with a period of time, the scheduling information including: resource identifiers, each resource identifier representing a resource and wherein at least one resource identifier represents a human resource and at least one resource identifier represents a reusable resource, and unavailability indications, each unavailability indication representing that a resource represented by one of the resource identifiers is not available to be scheduled for a portion of the period of time for which the scheduling information is being displayed; and an alert display in communication with the scheduling engine for messages associated with the scheduling information displayed using the planning board display, the alert display being displayed concurrently and adjacent to the planning board display without overlapping the planning board display, the alert display being displayed continuously, wherein at least one message includes information associated with a constraint other than a resource constraint, wherein the scheduling engine monitors utilization of human resources and an alert is displayed on the alert display when such utilization exceeds a pre-determined threshold; the user interface (i) prompting a user to identify a customer in connection with the initiation of a service to be performed and (ii) displaying a list of equipment owned by the customer and a list of types of services that may be performed for each type of equipment in response to the selection of the customer to enable the user to select appropriate equipment and types of services for the service to be performed" (for support, see, inter alia, published specification pars. 77, 98, 101, 111).

Claim 12 has been amended to recite: "A computer program product embodied on computer readable storage media comprising instructions that when executed generates a graphical user interface on a display device for using a computer to schedule the performance of service actions that involve activities at multiple locations, the graphical user interface

comprising: a planning board display in communication with a scheduling engine for scheduling information associated with a period of time, the scheduling information including: resource identifiers, each resource identifier representing a human resource and wherein at least one resource identifier represents a field technician and at least one resource identifier represents a central workshop technician, and unavailability indications, each unavailability indication representing at least one of the resources represented by one of the resource identifiers is not available to be scheduled for a portion of the period of time for which the scheduling information is being displayed; a task display in communication with the scheduling engine for showing task identifiers, the task display being displayed concurrently and adjacent to the planning board display, each task identifier representing a task for a service action to be performed at a specified location, wherein: a first task identifier represents a first task item to be performed at a field location, a second task identifier represents a second task item to be performed at a central workshop location that is different from the field location, and the first and second task items are to be completed as part of a service action; and an alert display in communication with the scheduling engine for messages associated with the scheduling information displayed using the planning board display, the alert display being displayed concurrently and adjacent to the planning board display and the task display, wherein at least one message includes information associated with a constraint other than a resource constraint, wherein utilization of one or more of the specified field technician and the specified central workshop technician is monitored by the scheduling engine and an alert is displayed on the alert display when such utilization exceeds a pre-determined threshold, wherein the field technician is associated with the first task item and the central workshop technician is associated with the second task item; wherein at least one of the first task item and the second item requires spare parts; wherein in response to a user initiating the scheduling of a service action via the graphical

user interface, an external system is queried to determine whether the required spare parts are available, and if not, a date on which such spare parts are available, and a service schedule estimate including a planned start date and a planned end date for each task in the service action is presented via the graphical user interface” (for support, see, inter alia, published specification pars. 77, 98, 101, 111).

Claim 14 has been amended to recite: “A computer program product embodied on computer readable storage media comprising instructions that when executed generate a graphical user interface on a display device for using a computer to schedule the performance of service actions, the graphical user interface comprising: a planning board in communication with a scheduling engine scheduling information associated with a period of time that includes a chart identifying resources for which a user associated with the planning board is responsible; controls associated with the planning board, the controls comprising an assignment control to assign an service order item to a resource, a time specification control to identify a time period when a resource is unavailable for reasons other than an assignment, and a relationship control to create a temporary connection between a tool and a human resource; a work list providing a hierarchical view of service order items for which the user is responsible; a hot list providing a non-hierarchical list capable of displaying different views of open service items for which the user is responsible; and an alert monitor in communication with the scheduling engine displaying a list of alerts the selection of which causes corresponding assignments displayed in the planning board that are related to the selected alert to be highlighted, wherein the scheduling engine monitors utilization of human resources and an alert is displayed on the alert display when such utilization exceeds a pre-determined threshold; wherein in response to a user initiating the scheduling of a service action and assigning resources to the service action via the

graphical user interface, it is determined whether non-resource contractual constraints exist that are based on contracts with a customer associated with the service action that constrain tasks for the service action, and if so, presenting a user with an alert indicating same" (for support, see, inter alia, published specification pars. 77, 98, 101, 111).

Please note that co-pending application 10/696,533 has claims with similar features to those added herein by amendment.

As correctly noted in the previous office action, Bansal fails to disclose an alert display that is concurrently and continuously displayed adjacent to a planning board display as recited in claim 1. However, it is respectfully submitted that such an arrangement is not known in the art as such an arrangement provides greatly enhanced usability and allows users to operate more efficiently, especially with regard to complex planning scenarios. If the features providing such advantages were old and well known, they would have been adopted long ago.

FIG. 2 of Bansal includes a Planned Activities frame, a Unplanned Activities frame, and a Recommended Parts frame. FIGs. 2, 3A, 3B (as well as the other figures) do not include an alert display but rather a pop up that does not include alert information, but rather, status information. Bansal par. 4, lines 15-18 also do not disclose or even suggest an alert display, but rather, this section states that activities can be scheduled within any given time constraints which can be imposed by service agreements with customers. Lastly, paragraph 69 of Bansal refers to the Planned Activities frame (which lists employees in relation to a daily schedule), the Unplanned Activities frame (which identifies pending activities), and the Recommended Parts frame (which identifies parts), none of which constitute an alert display as recited in the claims.

Furthermore, Bansal fails to suggest an interface for identifying a customer, displaying a list of equipment in response to an identification of a customer as well as a list of types of services so that a user can readily initiate a service action for a customer which are all based on the identified customer (as recited in claim 1). Bansal does not suggest such an arrangement, which allows selection of equipment that is associated with a customer and services for such equipment to be more easily identified and selected. Such an interface provides significantly enhanced usability as compared to conventional systems such as Bansal.

Therefore, the skilled artisan would not have resulted in the claimed subject matter by combining Bansal with any one or more of the cited references.

In addition, none of the cited references suggest that utilization of human resources can be monitored, and if such resource utilization exceeds a certain threshold, that the user can be alerted. Such an arrangement can be particularly advantageous with a large number of employees in order to ensure that workload is evenly distributed after tasks have been assigned (as opposed to prior to assignment of tasks whether forward planning or backward planning).

Accordingly, each of claims 1, 12, 14, and their respective dependent claims should be allowable.

Concluding Comments

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be

construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment. Applicant asks that all claims be allowed.

If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below. The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34874-349.

Respectfully submitted,

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